IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929

Crl.RC.No. 10 of 2002(E)

CRA.51/1999 of SESSIONS COURT, THODUPUZHA
CC.110/1996 of JUDL. MAGI. OF FIRST CLASS-I (FOREST OFFENCES), THODUPUZHA

.....

PARTIES

---

1. STATE OF KERALA,
REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR MR. AMJAD ALI

2.. NARAYANAN CHETTIAR,
S/O.KUNJUKUTTAN,
KUZHIYAM PANACKAL THAKKEN THOMMEY BHAGOM,
KUNJUKUZHY VILLAGE,THODUPUZHA TALUK.

3. PRASAD,S/O.CHELLAPPEN,
THODIYAM PALICKAL
PAZHEYIRUKODEM BHAGOM,
KANJIRAKUZHY VILLAGE,
THODUPUZHA TALUK.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA

THIS CRIMINAL RIVISION CASE HAVING BEEN FINALLY HEARD ON 10-8-2007 , THE COURT on the SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.C.NO.10 OF 2002

DATED THIS THE 10TH AUGUST 2007

ORDER

Suo motu revision was taken over the judgment of the Sessions Judge in Crl.A.51/99 which is over the decision in C.C.No.110/1996 of the J.F.CM-I, Thodupuzha for the offence under Sections 27(1)(e)(iii) and (iv) of the Kerala Forest Act. The appellate court acquitted the accused for the offence under Section 27(1)(e)(iii), but confirmed the conviction for the offence under Section 27(1)(e)(iv) of the Act. The loss occasioned to the Government is mentioned as Rs.2250/-.

Considering the fact that more than 10 years have elapsed since the commencement of the proceedings, I find that it will not be just to remand the matter to the court below for fresh consideration. Hence, the Crl.R.C.is closed.

K.R.UDAYABHANU, JUDGE

ks.

K.R.UDAYABHANU, J

CRL.R.C.NO. 10 OF 2002
ORDER

10-8-2007

11/2002

Suo motu revision was taken over the judgment of the sessions Judge in Crl.A.17/99 which is over the decision in C.C.No.299/1995 of the J.F.C.M-I, Thodupuzha for the offence under Sections 27(1)(e)(iii) and (iv) of the Kerala Forest Act. The appellate court acquitted the accused for the offence under Section 27(1)(e) (III), but confirmed the conviction for the offence under Section 27(1)(e)(iv) of the Act. The loss occasioned to the Government is mentioned as Rs.750/-

Considering the fact that more than 10 years have elapsed since the commencement of the proceedings, I find that it will not be just to remand the matter to the court below for fresh consideration. Hence, the Crl.R.C.is closed.

IN THE HIGH COURT OF KERALA AT ERNKAULAM
PRESENT
THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU
DATE

CRL.R.C. NO. 10 OF 2002
CRL.A.NO. 51/99 LOF THE SESSIONS COURT, THODUPUZHA & C.C. 110/96 OF THE J.F.C.M.I, THOODUPUZHA.

PARTIES:

1. STATE OF KERALA

   BY LPUBLIC PROSECUTOR MR. AMJAD ALI

2. NARAYANAN CHETTIAR,
   S/O. KUNJUKUTTAN, KUZHIYAMM PANACKALL
   THAKKEN THOMMEY BHAGOM
   KUNJUKUZHY VILLAGE, THODUPUZHA TALUK.
3. PRASAD, S/O. CHELLAPPAN,
   THODIYAM PALLICKALLL PAZHEYIRUKODEM BHAGOM
   KANJIIIRAKUZHY VILLLAGE
   THODUPUZHA TALOUK.

THIS CRL.R..C. HAIVNG BEEN FINALLY HEARD ON 10-8-2007, THE COURT ON THE SAME DAY PAPSSED THE FOLLOWING: